

LP

FILED DISTRICT COURT	
11/21/2018	
CENTRAL DISTRICT OF CALIFORNIA	
BY: DD	DEPUTY

Jonathan W. GRIGSBY

FULL NAME

COMMITTED NAME (if different)

P.O. Box 4610 C4-144 CSP-LAC

FULL ADDRESS INCLUDING NAME OF INSTITUTION

LANCASTER, CA 93539

T-61830

PRISON NUMBER (if applicable)

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Jonathan GRIGSBY

PLAINTIFF,

CASE NUMBER

CV 18-9826-JLS(PLA)

To be supplied by the Clerk

Debbie ASUNCION WARDEN et al.,
DEFENDANT(S).

CIVIL RIGHTS COMPLAINT
PURSUANT TO (Check one)

☒ 42 U.S.C. § 1983☐ Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner: ☒ Yes ☐ No
2. If your answer to "1." is yes, how many? dont REMEMBER

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

- a. Parties to this previous lawsuit: ☒ Plaintiff don't REMEMBER? "
 Defendants " "
- b. Court NORTHERN District
- c. Docket or case number " "
- d. Name of judge to whom case was assigned " "
- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) " "
- f. Issues raised: 1st, 8th, 14th AMENDMENTS
- g. Approximate date of filing lawsuit: _____
- h. Approximate date of disposition: _____

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☒ Yes ☐ No

2. Have you filed a grievance concerning the facts relating to your current complaint? ☒ Yes ☐ No

If your answer is no, explain why not _____

3. Is the grievance procedure completed? ☒ Yes ☒ No

If your answer is no, explain why not 2 GRIEVANCE(S) #18002290 completed, staff complaint # 18-04128 Partially Granted? 3rd level 11-18-2018 3rd level due?

4. Please attach copies of papers related to the grievance procedure.

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff JONATHAN W. GRIGSBY
(print plaintiff's name)

who presently resides at LANCASTER STATE PRISON P.O. Box 4610 LANCASTER, CA 93539
(mailing address or place of confinement)

were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at

LANCASTER STATE PRISON

(institution/city where violation occurred)

on (date or dates) 11th amendment 8th amendment 1st amendment
Due Process Denied Denial Medical Care Due Process violated
(Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant RN ? work 7-17-2018 ; 7-16-18 after 10:30 PM resides or works at
(full name of first defendant)
P.O. Box 4670 Lancaster, Ca 93539
(full address of first defendant)
Nurse
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

I told RN I need to go to hospital ? I had bowel obstruction
I was refused and almost died refuse treatment

2. Defendant S. Matis chief medical resides or works at
(full name of first defendant)
P.O. Box 4670 Lancaster, Ca 93539
(full address of first defendant)
Chief medical
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

Saw note to CDCR ranking staff and ignored communication or
refused to give name of medical people related and ignored serious medical issue.

3. Defendant B. Ramos M.D. resides or works at
(full name of first defendant)
P.O. Box 4670 Lancaster, Ca 93539
(full address of first defendant)
Medical Doctor
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

over saw grievance and refuse to investigate or be impartial in telling
RN he made error and corrected it

4. Defendant T. Lewandowski resides or works at
(full name of first defendant)
CSP- LAC
(full address of first defendant)
Associate Warden
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

filed a grievance on her and it was reject and cancel because I ask
her to process me for state program and investigate appeal basis to investigate appeals

5. Defendant Debbie Asuncion resides or works at
(full name of first defendant)
CSP- LAC
(full address of first defendant)
Warden of Prison Lancaster
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

I wrote several letter and request seeking investigation and ask for
warden to inquiry about due process violations and about me denied medical
treatment I was ignored and refuse to this day speak or address my issue.

4. Defendant Yo Escayida resides or works at _____
(full name of first defendant)
CSP- LAC Prison
(full address of first defendant)
correctional officer
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

refuse to call medical "man down alarm" I almost died because
refuse to give medical treatment.

5. Defendant Tanner Yo 1st Yo Skidmore resides or works at _____
(full name of first defendant)
CSP- LAC Prison
(full address of first defendant)
Tanner correctional officer
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

refused to allow me out cell and ignored my man down calls
for 6 hours

1. Defendant K. Estrada resides or works at _____
 (full name of first defendant)
CSP-LAC Prison
 (full address of first defendant).
Appeals Office
 (defendant's position and title, if any)

forfeited documents to prevent staff complaint on CDCR staff investigated
violated due process

2. Defendant Ralph Diaz "Operations Undersecretary" resides or works at
(full name of first defendant)
Sacramento, Ca ?
(full address of first defendant)
Works for Scott Korman
(defendant's position and title, if any)

I wrote letter explain actions of appeals and ranking staff? I was ignored and reprisals and retaliation happen as result of letter.

3. Defendant O. Egnavaran resides or works at CSP- LAC Prison
(full name of first defendant)
(full address of first defendant)
Counsel Supervisor CC II
(defendant's position and title, if any)

The ranking Supervisor falsified document and violated my due process retaliated with reprimands when I filed grievance on him

1. Defendant Lt. Schumacher resides or works at Lancaster Prison P.O. Box 4610 Lancaster, Ca 93539
(full name of first defendant)
(full address of first defendant)
Lieutenant
(defendant's position and title, if any)

Explain how this defendant was acting under color of law:
He investigated staff complaint and found % no guilty of violate my right to
access to medical services. I almost died because they denied me medical care.

2. Defendant J. Curriel
(full name of first defendant) _____ resides or works at _____
Same as above
(full address of first defendant) _____
Appeals Coordinator
(defendant's position and title, if any) _____

Explain how this defendant was acting under color of law:
was suppose to investigate staff complaints filed? yrs who denied me medical
care he was suppose to show evidence to refute or sham cause? violated 14th, 5th, 1st amendments

3. Defendant Rosen Blum resides or works at _____
(full name of first defendant)
P.O. Box 390 S.F. CA 94104-0390
(full address of first defendant)
Lawyer in R & G & G LLP
(defendant's position and title, if any)

Explain how this defendant was acting under color of law:
he and his paralegal held staff complainant over 60 days which should 14th amend violation
and violated time constraints to process.

on (date or dates) _____ (Claim I) _____ (Claim II) _____ (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant Dylan Vernon - Crist resides or works at _____
 (full name of first defendant)
B2 Bay 390 S.F. CA 94104
 (full address of first defendant)
Paralegal
 (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

purposefully held legal evidence 60 day and help CDCR reject staff complaints and also sent legal mail that CDCR held 15 days over legal mail date. Also violates due process

2. Defendant Captain Villa resides or works at _____
 (full name of first defendant)
Lancaster Prison
 (full address of first defendant)
Captain
 (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

refused to investigate claims of medical neglect by %'s? Also refuse to investigate staff, you violated my rights and almost caused my death because no medical care,

3. Defendant Sgt. Hodfrey resides or works at _____
 (full name of first defendant)
CSP-LAC
 (full address of first defendant)
Sergeant
 (defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

was made aware of medical neglect and %'s refusing me care and ignored staff complaints.

4. Defendant D. Castro resides or works at _____
(full name of first defendant)
CCI P.O. Box 4010 CSP-LAC
(full address of first defendant)
CCI
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

falsified documents, falsified statements and refuse me due process under law
evidence will show Penal code violation 141, 118.1.

5. Defendant C/o Durr resides or works at _____
(full name of first defendant)
CSP - LAC
(full address of first defendant)
C/o in LAC Prison
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☒ individual ☒ official capacity.

Explain how this defendant was acting under color of law:

refuse me medical care so almost caused my death to do harmful obstruction

4. Defendant

L. Mason

(full name of first defendant)

CSP-LAC

(full address of first defendant)

Supervisor Health Appeals

(defendant's position and title, if any)

resides or works at

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

she was supervisor who interview me on health care grievance and appeal shows
she did no investigation or gave me any memo to hold COCR employees accountable?

5. Defendant

Internal Affairs Supervision

(full name of first defendant)

CSP-LAC

(full address of first defendant)

Investigation of complaints

(defendant's position and title, if any)

resides or works at

The defendant is sued in his/her (Check one or both): ☒ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

I told IA that Yo threats me to put knife or dope in my cell if I don't
drop staff complaint against Yo?

D. CLAIMS*

CLAIM 1, 2, 3, ?

The following civil right has been violated:

§ I was denied medical treatment? Deliberate Indifference Failure Act? }
 { CORRECTIONAL OFFICERS show mindset sadistic & malicious AS REFUSES to
 call medical staff 8th amendment violation? }
 § I file grievance to investigate MALICE actions of CDCR employees And
 CDCR REFUSE to allow due process under law? Violated 1st amendment to
 address issue affecting my program.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

I've attached 8 pages that describe the violations of constitution 1st, 8th, and 14th amendment? I have about 700 pages of documents to support and show violations of claims alleged. I explain on July 16, 2018 I get unknown to me until seen by Doctor in it found that I have bowel obstruction which almost killed me after 13 hours being sent to hospital for surgery to remove block in my intestines? Correctional officers have refused to give names and medical staff the same even after filing formal reports? There is a report called (IERC) Institutional Executive Review Committee that holding information that shows negligence by correctional officers? And if RN suggest remedy for pain and 2 hours after issue not resolved to leave me in my cell calling for help and officers ignore me for 6 to 7 hours and 12 hours later I'm in outside hospital preparing for surgery because I can died if my intestine aren't repaired? Read 1-8 pages and look at due process violation in processing of health grievance? staff complaint

*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

Conte Page 1-8

(1) On July 17, 2018 I was calling "mom down" medical emergency after 2 hours prior I spoke to a black nurse who believed I had ate bad food and that a laxative would help my stomach pain.

(2) The RN refuse to give his name and after the initial statement food poison 2 or 3 hours later my pain was worst and unknown because refusal to take me to TIA or hospital I had "bowel obstruction"? that almost killed me if I went out to Palmdale Regional medical Center ASAP some 12 1/2 hours later?

(3) On July 14, 2018 there was a black correctional officers walking the floor who I believe name was Yo Dunn? In the control Tower I found out was Yo Skidmore who refuse to help me when I called mom down for over 6 hours from after 12 o'clock to 5 o'clock in morning.

(4) The RN once I filed the grievance I ask the staff reviewer L. Mason to tell me names of RN and 2 correctional officers? But CDCR and health care grievance Supervisor has refuse to provide names of any of staff involved?

(5) Dr. Afia on July 17, 2018 at around 10:45 or 11 AM called emergency ambulance to take me to hospital for surgery to remove small intestine blocking? Dr. stated if I would have gone another amount of time of 12 to 13 hours with block my intestine would have burst and I died because Yo refuse me medical treatment?

(6) There are also correctional officers Rosio and Escobedo who when their work shift started July 17, 2018 both %'s denied me medical attention telling me I'm faking. July 22, 2018 I filed health care grievance log # 18002206 explain RN refuse to see me after initial call to come see me about stomach and that turn out to be small intestine "bowel obstruction"?

(7) September 4, 2018 health care Supervisor L. Mason call me to clinic and told me she not given me name of RN and RN did nothing wrong? I ask for %'s name who work first watch? I believe their names are % Dunn & % Skidmore? The nurse issue is while at hospital for 4 days and 3 nights % Skidmore was security in my room and never said sorry or mention he was sorry for not answering my "Man Down" call for hours on July 16, going into early July 17th 2018?

(8) To show malice and pedantic actions of health care Supervisors? P. Garcia grievance representative have done stall tactic to process and exhaust my complaint? 602 health care form (exhibit 1) dated July 22, 2018 shows I ran out room to explain issue? So because I did not have 602 HC A form I cross out any thing to confuse CCR staff stating they had no 602 HC A forms?

(9) P. Garcia generated a new health care grievance log number # 18002290 using same original screen and rejected hearing a evidence in statement I made on #18002206? based on information and belief Supervisor Mason, and

P. Mancini are prohibiting my due process under law of redress state employee in perform of his/her duties? Dr. Afia is witness and savior of my life. I tried to get CDCR medical staff to get statement or allow me to speak to Doctor who save my life?

(10) CDCR has purposely not allowed me to see doctor and has stop me from getting written response from him -- also base on fact 4 CDCR officers I've been refused there memo or statements pertain to incident where I almost died? August 9, 2018 I filed staff complaint?

(11) Log # C-18-04128 Lieutenant D. Schumacher on Warden Debbie Abunacion did a inquiry? My cell was 212? Cell 213 & 211 I believe and know were asked if I was screaming man down over period three nite on July 14, 2018 going into July 17, 2018?

(12) I know a report was generated show % were at fault and that 1st & 2nd watch %'s denied me medical treatment? The confidential review notes and interviews conduct will lead to evidence to support my claims of neglect by %'s to give me medical care causing a 8th amendment violation of cruel or unusual punishment?

(13) To show reprisals and retaliation and 14th amendment due process of law by named CDCR employees. Just briefly I want to show malicious and sadistic actions of CDCR and staff as reprisals and retaliation I'm being subjected too? % Escayda on Sept. 7, 2018 threat to put a knife or dope in my cell if I did not drop this civil lawsuit against him & other %'s. I sent legal mail letters to internal affairs

Asking for help? At time I had 180 to release from prison after 18 straight years in prison. I since wrote to Associate Warden and Warden in regards to retaliation and reprisals taken out against me filing this civil lawsuit.

(14) I filed a staff complaint against ~~Yo¹⁰ Escalada & Roso~~ August 9, 2018 and ~~Lieutenant D. Schumacher~~ and ~~Delbie Asuncion~~ are aware of ~~confidential (IERC)~~ report that shows inmates on both sides of me was interviewed and stated on record I scream and yelled for help starting about 11:30 PM July 16, 2018 til July 17, 2018 11:30 AM when I was taken to outside hospital.

(15) In June 28, 2018 I wrote Operations Undersecretary ~~Ralph Diaz~~ under Director of all ~~CDP~~ because I wanted to be evaluated for early release program. ~~D. Castro~~ and ~~O. Eguavoren~~ purposely fabricated state documents and administrative determinants to prevent me from getting out prison early and ignored my request for case file review.

(16) I have documents that shows counselor (CC1) D. Castro lied saying I have escaped history and a hold by U.S. Marshal. And when I wrote Counselor he lied and answered for his supervisor or supervisor relayed to him respond to document? I wrote ~~Chief appeals M. Voong~~ has refuse to investigate my claims or make inquiry? Because due process is being ignored and purposely refused or not addressed?

(17) To show due process and refusal to address my 1st amendment right is (exhibit 2) grievance filed against ~~K. Estrada~~ on May 14, 2018? Where I specifically file grievance because CC1 Castro & CC2 Supervisor Eguavoren purposely fabricated

(4)

exhibit
1A

exhibit
3

- (17) Purposely file fabricated documents (Exhibit 3) dated June 4, 2018 address to D. Castro & O. Eguavoen and they lie saying I have escaped history and U.S. Marshal hold? K. Estrada grievance the Warden & Associate Warden and other appeal coordinator refuse to acknowledge grievance or process it.
- (18) I write undersecretary Ralph Diaz about actions of his subordinates in June 2018 and to date November 14, 2018 no acknowledge of violations to medical malpractice by RN on July 14, 2018 & July 17, 2018 where I was left in cell screaming "Man Down" for 5 or 6 hours? And prior to medical issue, I reported to ranking CDCR officials, K. Estrada, J. Curren, Sergeant Hodfrey, his boss Lieutenant John Doe (refuse to give his name?) AW R.C. Johnson, AW T. Lewandowski.
- (19) I have document evidence showing I want to address staff complaints of ranking employees not investigating the actions of subordinates and conspiracy not ignore and not respond to vital issue affect my prison program and trying to leave early? (Exhibit 4) is document generated to Warden Debbie Asuncion, and AW Johnson & or Lewandowski and appeals coordinator supervisor wrote July 30, 2018 speaking of all complaints log # 18-01964 on Dr. Laiman refusing to see me as outlined in settlement of Coleman v Brown lawsuit?
- (20) There's also staff complaint filed against Sergeant Hodfrey and John Doe Lieutenant his supervisor who refused to give his name, CO2 # log 18-02479? And log # 18-01801 showing crime of misdemeanor making false statements and fabricating documents? evidence of 14th amendment violation is overwhelming? And due process violations and deliberate indifference failure to act medical issues just

(20) just enhances violations to 1st, 8th, 14th amendments, let me explain? (exhibit 5) is document generated to Warden Lancaster Prison dated June 7, 2018? Telling of 3 legal mail letters wrote to Warden regarding staff complaints not investigated and ranking Sergeant Modfrey and Captain Curriel not responding to issues effect my prison program.

(21) Also I speak on appeals coordinator K. Estrada and how staff complaint filed against her was not logged or processed or investigated? May 31, 2018 I write Rosen Bien (exhibit 6) telling of due process violation to address grievances with ranking Sergeant, Lieutenants, Captains, and Appeals Coordinator staff? I send Lawyer Rosen Bien 602's 18-02330, 18-02575, 18-02479, and 18-01801 and tell Lawyer K. Estrada: staff complaint is not logged and I ignored on grievance?

(22) These grievances show sadistic & malicious mind act of CDCR for reporting on ranking staff? They believe I'm retarded because I'm on meds and have mental disorder?

(exhibit 6) I explain foul actions of CDCR and responding for Rosen Bien is Dylan Verner Christ? who holds all my documents over I believe 45 to 60 days violating all my time constraints to process grievances filed.

(23) Which ties in another grievance on (exhibit 7) 18-04746 where M. Fordham, J. Curriel, and again K. Estrada reject or purposely state issue to stop my due process? Let me explain CCI A. Ojeda May 22, 2018 refuses to respond or acknowledge issue of 602 log number changed and no processed? To show issue when I sent Rosen Bien evidence of due process issues mailed May 31, 2018 when finally respond legal mail sent July 10, 2018

(6)

exhibit
7

1 Yo's Lee, Deo, and Jordan I received legal mail aprn July
2 25, 2018 from Coleman Lawyers? I wrote Chief Deputy Warden
3 R.C. Johnson on issue discussed paragraph 1 thru 23 on May
4 7, 2018? I'm ignored by all ranking CDCR staff no body
5 has interview me in person or answered questions regarding
6 due process violations.

7 (24) And Please things then July 17, 2018 I'm denied medical
8 care attention by RN staff and 1st & 2nd watch officers refuse
9 to give me help? Based on information and believe CDCR actions
10 border on reprisals and retaliation? Sept 7, 2018 I was in
11 fear for my life so I wrote internal affairs and Sergeant?
12 Lieutenant on C-yard about Yo Escayada threaten to put a
13 knife or dope in my cell to prevent my release after 18 straight
14 in prison? Again no response or acknowledgement to request to
15 interview and internal affairs has said nothing to me to help?

16 (25) (Exhibit 8) Scott Jacobs ombudsman August 30, 2018 sent
17 letter and came to visit me and said he investigate and correct
18 issue or help me understand? Nov. 14, 2018 Scott Jacobs is
19 conloring and covering-up staff complaint and refusing to investigate
20 issues stated in this lawsuit?

21 (26) Your honor I have 100 hundreds of state documents that
22 show I'm trying to resolve issue before I file grievance? Due process
23 of law and equal protections under law show if K. Estrada,
24 M. Fordham, A. Ojeda, J. Currel are appeals coordinator
25 my grievance show he investigated and I interview in respond to in
26 timely manner? For example (Exhibit 9) is 22 form addressed to
27 appeals Supervisor? May 14, 2018 I file staff complaint on
28 K. Estrada and this woman is constantly respond to Supervisor

address issue? 4 months later still respond and lying on documents?
 AN T. Lewandowski I submitted all staff complaint after
 Rosen Brien lawyer and Penalegal held grievance 45 to 60 days
 then when the mail documents July 12, 2018? CDOR held tel
 July 25, 2018 then open my legal mail? % Lee, % Deloe
 and % Jordan on 7-25-2018 at 9 PM gave me open legal
 mail violating my rights and showing staff complaints and filing
 grievance reprisals & retaliation come next.

To sum up my medical appeal shows deliberate indifference
 failure to act? % working night 7-16 & 7-17 refuse to help me
 get out cell and confidential witness the Lieutenant interview
 will show neglected to help me almost costing me my life?

All people named acted under color state law and
 violated my 8th amendment right and deliberate indifference medical
 need? 1st amendment to address grievance and have investigation, and
 14th amendment due process of law and equal protections under the
 law. I'm not using my mental illness as excuse but I have a
 disability and need a lawyer?

I've been unfairly treated by CDOR and RN and ranking
 staff mentioned. Because I almost died and CDOR has refuse
 to acknowledge me I want 1 million dollars or we can go
 to jury trial and I expose the lies and cover-up to keep
 me in prison and not to respond to grievance or answer me
 period.

Nov. 15, 2018

Jonathan Murphy

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

I want attorney General to file charges on all CDCR employees who falsified documents and fabricated statements to prevent me due process and early release. Penal Code 141, 118.1 have been violated and I want misdemeanor charges and felony charges filed on CDCR employees who knowingly refuse to investigate my claims there lying on me to prevent truth from coming out:

I want a jury trial and just I wanted 200,000 dollars but my life is worth 1 million dollars so I want 1 million dollars and I want CDCR employees fired and persons taken for lying and because of cruel & unusual punishment did to me for no reason.

November 16, 2018

(Date)

Jonathan Murphy

(Signature of Plaintiff)